

DISTRICT	OFF.	DOCKET NO. YR. NUMBER	FILED DATE MO. DAY YR	J	NATURE SUIT	DIV.	CL. FILED 23	DEFENDANT INDIVIDUAL	JUDGE	MAG.	COUNTY	CONT. DEM.	POSTAL YR. NUMBER
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Case 5:88-cv-00571 Doc #: 74 Filed: 07/13/11 1 of 6 PageID #: 1

CAUSE: PLAINTIFFS

1. Veere Inc.
2. Birdie Kuntz
pltf/intervenor

DEFENDANTS

1. Firestone Tire & Rubber Company
2. Nevin, John J.
3. Anderson, J. Robert
4. Aucutt, George W.
5. Firestone, Kimball C.
6. Marshall, Charles
7. Meyers, John A.
8. Page, Thomas C.
9. Phillips, William G.
10. Rice, Lois Dickson
11. Rosenson, Jay H.
12. Suter, Albert E.
13. Towe,r Raymond C.
14. Vatter, Paul A.
15. Baker, David J., Director of Development
16. Page, Linda K., Director of Commerce
17. Holderman, Mark V., Commissioner
18. Limbach, Joanne, Commissioner of Taxation

CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE
IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

Constitutionality of State Statutes

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- | | |
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Action arose in Summit County #12

<input type="checkbox"/>	CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS
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FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER
3-7-88	142526	120.00

STATISTICAL CARDS

CARD	DATE MAILED
JS-5	3/31/88
JS-6	

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

VEERE INC. (JUDGE BATCHELDER
vs. (C88-571A
FIRESTONE TIRE & RUBBER, ETAL (-----

Firestone Tire & Rubber Co.
deft/third party pltf

vs.

19. Pirelli Enterprises Corporation
20. Pirelli Societe Generale S. A.
21. Pirelli S. p.A.
22. Societe Internationale Pirelli
23. International Pirelli N. V.
24. Pirelli Finance Holding B. V.
25. Cidefina S. A.
26. Pirelli & C. A. p. A.
27. Leopoldo Pirelli
28. Vincenzo Sozzani
29. Luigi Orlando
30. Alberto Pirelli
31. Marco Tronchetti Provera

THIRD PARTY DEFTS.

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C88-0571A

PROCEEDINGS

JUDGE BATCHELDER

DATE	NR.	
3/7/88	1	COMPLAINT . Summ issd to pltf's atty (72 p.) prm
3/7/88	2	INITIAL Order . BAatchelder, J. issd to pltf's atty (4 p.) prm
3/7/88	3	MOTION of pltf for TRO. Issd to pltf's atty (2 p.) prm
3/7/88	4	MEMORANDUM of pltf in supp of mot for TRO. Issd to pltf's atty (37 p. + exh) prm
3/7/88	5	AFFIDAVIT of pltf in supp of mot for TRO. issd to pltf's atty (5 p.) prm
3/7/88	6	MOTION of pltf for prel inj. issd to pltf's atty (3 p.) prm
3/7/88	7	MOTION of pltf for expedited disc. Issd to pltf's atty (2 p.) prm
3/7/88	8	MEMORANDUM of pltf in supp of pltf's mot for expedited disc. Issd to pltf's atty (7 p.) prm
3/7/88	9	AFFIDAVIT of pltf in supp of mot for expedited disc. Issd to pltf's atty (4 p. + exh) prm
3/7/88	10	NOTICE of pltf to take the depos of George W. Aucott & Joay H. Rosenson on 3/14/88; J. Robert Anderson & John J. Nevin on 3/15/88, Charles Marshall & John A. Meyers on 3/16/88, Kimball C. Firesteon & Thomas C. Page on 3/17/88, William G. Phillips & Lois Dixon Rice on 3/18/88; Raymond C. Tower & Paul A. Vatter on 3/21/88. Issd to pltf's atty. (3 p.) prm
3/7/88	11	REQUEST of pltf for prodctn of docmt to Firestone defts. Issd to pltf's atty. (16 p.) prm
3/7/88	12	MEMORANDUM of deft Firestone Tire & Rubber Co. in opp to pltf's application for TRO. Copies delviered 3/7/88 (5 p. + exh) prm
3/7/88	13 (3)	MARGINAL entry order that the mot of pltf for TRO is Denied. Batchelder, J. issd 3/8/88 (EOD 3/8/88) prm
3/9/88	14	ORDER that a preliminary injunction hrg is to be held 3/14/88 at 9:30 a.m. on the issue of the constitutionality of Ohio Revised Code Sec. 1707.041 & .042, 1710.01 and 1707.831; pty shall submit a brf summary of the testimony that each witness will offer. Batchelder, J. issd 3/9/88 (EOD 3/9/88) prm
3/9/88	15	NOTICE of preliminary injunction hrg on the "Rights Agreements" on 3/23/88 at 9:00 a.m.. B. Dwyer, Deputy Clerk. issd 3/9/88 prm
3/10/88	16	REQUEST of deft Firestone for prodctn of docmt to pltf. c/d 3/9/88 (21 p.) prm
3/10/88	17	NOTICE of deft Firestone to take the depo of Morgan Stanley & Co. on 3/18/88. c/d 3/9/88 (7 p.) prm
3/10/88	18	NOTICE of deft Firestone to take the depo of Credit Suisse on 3/21/88.c/d 3/9/88 (6 p.) prm
3/10/88	19	NOTICE of deft Firestone to take the depo of Swiss Bank Corp. on 3/22/88. c/d 3/9/88 (6 p.) prm
3/10/88	20	NOTICE of deft Firestone to take the following defts: Robert M. Kaufman & Filiber Pittini on 3/15/88; Leopoldo Pierilli & Gianbattista De Giorgi on 3/16/88; Alexander Rosenzweig & Adalberto Castagna on 3/17/88; Andrea Travelli & Albert Pirelli on 3/18/88; Claudio Mercalli & Antonio Rossetti on 3/19/88; Alfred Sarasin & Jacopo Vittorelli on 3/21/88; Franz Leutoff & Vincenzo Sozzani on 3/22/88; Luigi Orlando & Marco Tronchetti Provera on 3/23/88 & Robert Jeker on 3/24/88. c/d 3/9/88 (3 p.) prm
3/10/88	21	MOTION of Dennis P. Orr & Dean S. Krystowski for leave to appear on behalf of pltf. c/m 3/10/88 (5 p.) prm
3/11/88	22	APPLICATION of Bertie Kuntz for leave to intervene as a pltf-intervenor. c/d 3/11/88 (9 p.) prm
3/11/88	23	NOTICE of deft Firestone to take the depo of Marcello A. DeGiorgis on 3/17/88. c/d 3/10/88 (2 p.) prm
3/11/88	24	MOTION of Terence M. Murphy and John B. Newcomb for admission pro hac vice. c/d 3/11/88 (3 p.) prm
3/11/88	25	ANSWERS of defts Firestone Tire & Rubber Co., John J. Nevin, J. Robert Anderson, George W. Aucutt, Kimball C. Firestone, Charles Marshall, John E. Meyers, Thom C. Page, William G. Phillips, Lois Dixon Rice, J. H. Rosenson, Albert E. Suter, Raymond C. Tower, and Paul A. VAtter to the complt. c/d 3/11/88 (15 p.)

JUDGE BATCHELDER

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C88-571A</u>
Veere Inc.		Firestone Tire & Rubber et al	PAGE <u> </u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
3/11/88	26	COUNTERCLAIM and Third pty complt of deft Firestone Tire & Rubber Co. c/d 3/11/88, summ issd 3/11/88 (32 p.) prm	
3/11/88	27	MOTION of deft Firestone for an alt method of srv, w/ memo. c/d 3/11/88 (7 p)	
3/11/88	28	ORDER granting deft Firestone mot for alt method of srv of 3 pty complt. Batchelder, J. (2 p.) (EOD 3/14/88) prm	
3/11/88	29	MOTION of defts Firestone Tire & Rubber, Nevin, Anderson, Aucutt, Firestone, Marshall, Meyers, Page, Phillips, Rice, Rosenson, Suter, Tower and Vatter to dism cts XVII, XVIII & XIX of the pltf's complt. c/d 3/11/88 (17 p.) prm	
3/11/88	30	MOTION of deft Firestone for a protective order staying all disc on cts XVII, XVIII and XIX of pltf's complt. c/d 3/11/88 (11 p.) prm	
3/11/88	31	MOTION of deft, cntrclm pltf and 3 pty pltf Firestone for prel inj. c/d 3/11/88 (4 p.) prm	
3/11/88	32	MOTION of deft, cntrclm pltf and 3 pty pltf Firestone for leave to file memo in supp of mot for prel inj. c/d 3/11/88 (2 p.) prm	
3/11/88	33	OBJECTIONS & Resp of deft Firestone defts to req for prodctn of pltf. c/d 3/11/88 (27 p.) prm	
3/11/88	34	MEMORANDUM of defts Firestone Tire & Rubber Co. and its Board of Directors in opp to pltf's mot for preliminary injunctive relief against enforcement of Ohio Revised Code 1701.831, 1707.041 and 1707.042. c/d 3/11/88 (41 p. + exh, and appendix binder.) prm	
3/14/88	35	WITNESS statement of pltf. c/d 3/12/88 (5 p.) prm	
3/14/88	36	WITNESS statement of deft Firestone. c/d 3/14/88 (5 p.) prm	
3/14/88	37	SUPPLEMENTAL Memorandum of pltf in supp of mot for prel inj enjoining enforement of the Ohio Control Share Acquisition Act and the Ohio Take-Over Act. c/d 3/14/88 (23 p.) prm	
3/14/88	38	AFFIDAVITS in supp of pltf's mot for prel inj enjoining enforcement of The Ohio Control Share Acquisition Act and The Ohio Take-Over Act. c/d 3/14/88 (12 p.) prm	
3/14/88	39	MEMORANDUM of pltf in supp of mot fer a prel inj enjoining enforcement of The Ohio Control Share Acquisition act and the Ohio Take-over Act. c/d 3/12/88 (49 p.) prm	
3/14/88	40	APPENDIX of pltf of authorities in supp of mot for prel inj. (158 p.) prm	
3/14/88	41	NOTICE of pltf to take the depo of Bridgestone Corp. on 3/21/88. c/d 3/14/88 (12 p.) prm	
3/14/88	42	NOTICE of pltf to take the depo of Bridgestone(USA) Inc. on 3/21/88. c/d 3/14/88 (12 p.) prm	
3/14/88	43	MEMORANDUM of State defts in opp to pltf's mot for prel inj. c/d 3/14/88 (45 p) prm	
3/14/88	44	NOTICE of deft Firestone to take the depo of Marc de F. de Logeres on 3/18/88 c/m 3/14/88 (19 p.)prm	
3/14/88	45	COMPLAINT in intervention of Birdie Kuntz, pltf/intervenor. c/d 3/14/88 (38 p.) prm	
3/14/88	46	MINUTES of proceedings. Batchelder, J. r, Salopek (Prel inj hrg held; taken under advisement.) prm	
3/15/88	47	NOTICE of defts Firestone & its Directors of filing affvt of Thomas A. Lasher & Peter W. Chehayl. c/d 3/15/88 (8 p.) prm	
3/15/88	48	AMENDED complaint in intervention of pltf/intervenor Birdie Kuntz. c/m 3/15/88 (39 p.) prm	
3/15/88	49	NOTICE of pltf/intervenor Birdie Kuntz to take the depos of defts J. Robert Anderson, John J. Nevin & John A. Meyers on 3/16/88, Thomas C. Page, Albe Sater on 3/17/88, William Phillips, Lois Rice & Kimball Firestone on 3/18 George Aucott, Jay Rosenson & Paul Vatter on 3/19/88, & Raymond Tower on 3/21/88. c/m 3/15/88 (4 p.) prm	

Judge Batchelder

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C88-571A</u>
Veere Inc., et al		Firestone Tire & Rubber, et al	PAGE <u> </u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
3/15/88	50	REQUEST of pltf/intervenor Birdie Kuntz for prodctn of docmt to the Firestone defts. c/m 3/15/88 (15 p.) prm	
3/16/88	51	STIPULATION & Protective ord governing Confidential Material, etc. Batchelder, J. Issd. (6 p) (EOD 3/16/88) (JAM)	
3/16/88	52	NOTICE of pltf Veere to take the depo of Roy H. Gilbert on 3/19/88. c/d 3/16/88 (3 p.) prm	
3/16/88	53	REQUEST of pltf Veere (2nd) for prodctn of docmt to Firestone defts. c/d 3/16/88 (10 p.) prm	
3/16/88	54	MOTION of defts Firesteon and its Directors for an ext of time to file brf on prel inj issues. c/d 3/16/88 (3 p.) prm	
3/16/88	55	TRANSCRIPT of proceedings had before the Hon. Alice M. Batchelder on 3/14/88. (187 p.) prm	
3/16/88	56	MEMORANDUM of decision that the mot for a prel inj enjoining the enforcement of O. R. C. Sec. 1701.831 is Denied. Batchelder, J. issd 3/16/88 (EOD 3/17/88) (15 p.) prm	
3/16/88	57	ORDER that a decision of the mot for a prel inj to enjoin enforcement of O. R. C. Sec 1701,831 having been rendered herein, for the reasons stated in that decision, the mot is Denied. Batchelder, J. issd 3/16/88 (EOD 3/17/88) (1 p.) prm	
3/18/88	58	SUPPLEMENTAL Memo of defts Firestone and its Officer-Directors in supp of mot to dism pltf's purported breach of fiduciary duty claims. c/d 3/10/88 (10 p. + exh) prm	
3/18/88	59	(73) MOTION of defts Firestone Tire & Rubber, Nevin, Anderson, Aucutt, Rosenson & Suter to dism the amd complt in intervention, w/memo in supp. c/d 3/18/88 (26 p.) prm	
3/18/88	60	MOTION of defts Firestone Tire & Rubber Co. and its officer-directors for a protective order staying all disc re: pltf/intervenor Kuntz' complt w/memo in supp. c/d 3/18/88 (12 p.) prm	
3/18/88	61	OBJECTIONS & Resp of deft Firestone to pltf's 2nd req for prodctn of docmt. c/d 3/18/88 (18 p.) prm	
3/18/88	62	MOTION of pltf/intervenor Kuntz for designation of lead counsel and for consolidation of cases C88-571A, C88-664 & C88-665. c/d 3/18/88 (4 p.)	
3/22/88	63	ANSWER of defts Firestone Tire & Rubber, Nevin, Anderson, Aucutt, Rosenson, & Suter to pltf/intervenor Birdie Kuntz's amd complt. c/m 3/22/88 (10 p.) prm	
3/24/88	64	STIPULATION Order purs to Rule 41(a)(2) FRCP, that pltf's complt and cntrclm & 3 pty complt of deft The Firestone Tire & Rubber Co., all all claims and causes of action set forth in those two pleadings are hereby dism w/ prej, w/each pty to bear own costs and attys' fees, etc.. Batchelder, J. issd 3/24/88 (EOD 3/24/88) (3 p.) prm	
3/25/88	65	ANSWER of defts K. Firestone, C. Marshall, J. Meyers, T. Page, W. Phillips, L. Dickson Rice, R. Tower and P. Vatter to intervenor/pltf Birdie Kuntz's amd complt. c/m 3/25/88 (13 p.) prm	
3/25/88	66	(70) MOTION of defts K. Firestone, C. Marshall, J. Meyers, T. Page, W. Phillips, L. Dickson Rice, R. Tower and p. Vatter for a protective order staying all disc relating to pltf/intervenor Birdie Kuntz's complt. c/m 3/25/88 (p.) prm	
3/25/88	67	(72) MOTION of defts K. Firestone, C. Marshall, J. Meyers, T. Page, W. Phillips, L. Dickson Rice, R. Tower and P. Vatter to dism the amd complt in intervention, w/memo in supp. c/m 3/25/88 (29 p.) prm	

JUDGE BATCHELDER

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C88-571A</u>
Veere, Inc. , et al		Firestone Tire & Rubber Co., et al	PAGE <u> </u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
3/28/88	68	MOTION Of defts Baker, Page, Holderman, Limbach, Nowak & Celebrezze for an ext of time to resp to the complt. c/m 3/28/88 (5 p.) prm	
3/30/88	69	AFFIDAVIT of Mary G. Kirchner. (3 p.) prm	
3/29/88	70	(66) MARGINAL entry order granting mot of defts to stay disc. Batchelder, J. issd 3/30/88 (EOD 3/30/88) prm	
4/4/88	71	ANSWER Of defts Page, Holderman, Baker, Limbach, Nowak and Celebrezze to the amd complt in intervention. c/m 4/4/88 (17 p.)prm	
5/24/88	72	(67) MARGINAL entry order granting mot of defts to dism amd derivative and class action complt in intervention. Batchelder, J. issd 5/24/88 (EOD 5/25/88)	
5/24/88	73	(59) MARGINAL entry order granting mot of defts to dism amd derivative and class action complt in intervention. Batchelder, J. issd 5/24/88 (EOD 5/25/88)	